



Tree Preservation Declaration

This is NOT a Tree Permit. Information Only.

Personal information may be collected under the authority of the Municipal Act, 2001. The information collected will be used by the City of Markham to administer and enforce this By-law or any other City By-law that authorizes the City to collect such personal information. Questions about the collection can be directed to the Clerk's Department of the City of Markham.

Tree Declaration Form

Tree Preservation staff request this Declaration Form is submitted to TreePreservationAdmin@markham.ca with every application to construct or demolish a building or pool, with every Minor Variance application submitted to the Committee of Adjustment, and any landscaping projects.

The Declaration form is **NOT** an Application to Permit the Injury or Destruction of a regulated tree. Its purpose is to inform owners and applicants when a Tree Permit or Tree Preservation Zone (TPZ) barriers are required for construction. Further details regarding permits are available on the City website:

<https://www.markham.ca/wps/portal/home/about/city-hall/bylaws/tree-preservation-bylaw/09-tree-preservation-bylaw>

The issuance of a Building Permit by City of Markham Building Department does **NOT** regulate the injury or removal of a regulated tree. The Building Permit review is separate from any Tree Permit review conducted by the City of Markham's Tree Preservation staff. Owners and applicants should discuss their proposed construction with a Qualified Tree Expert at the project's design stage to minimize impacts to subject site, City, and neighbouring trees.

Tree Preservation By-Law 2023-164

General Prohibitions:

4. No Person shall cause or permit:
 - a. the Injury or Destruction of a Tree without a Permit;
 - b. the Injury or Destruction of a Tree without complying with the terms of a Permit, including any conditions;
 - c. the failure to comply with the conditions of a Permit;
 - d. the failure to comply with an order issued under this By-law;
 - e. the submission of false information in a Permit application;
 - f. the relocation or alteration of a Tree on Public Lands;
 - g. the hanging, securing, or posting of any object to a Tree on Public Lands;
 - h. the obstruction or attempted obstruction of an Officer; or
 - i. the contravention of any provisions of this By-law.

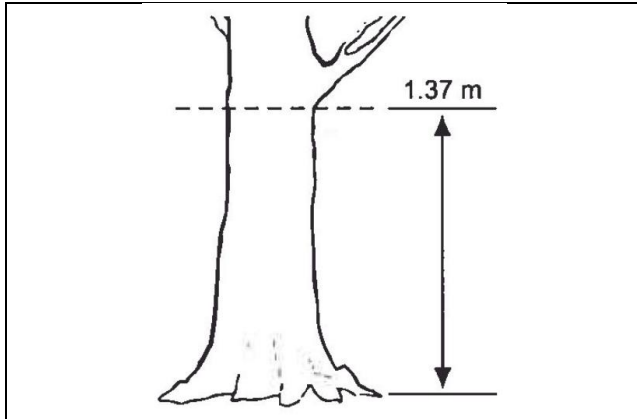
When is a Tree Permit Required?

The City of Markham requires a Tree Permit to be obtained before removing or injuring any tree on private property 20cm DBH or greater and/or removing or injuring any tree of any size on City property. Please refer to the Tree Preservation By-law 2023-164 for details.

Tree Injury is defined as lasting damage to a tree within a designated Tree Preservation Zone (TPZ). Construction activities such as demolition, excavation, trenching and boring, grade disturbances, machinery use, material storage, and landscaping within a TPZ may cause injury. If you are conducting construction or landscaping on your property, a Tree Permit and/or TPZ barriers may be required. Tree Preservation staff may request the submission of a Tree Assessment and Preservation Plan (TAPP), prepared by a Qualified Tree Expert, prior to issuance of a Tree Permit. Please refer to the TAPP Requirements document [here](#) for details.

What is a Regulated Tree?

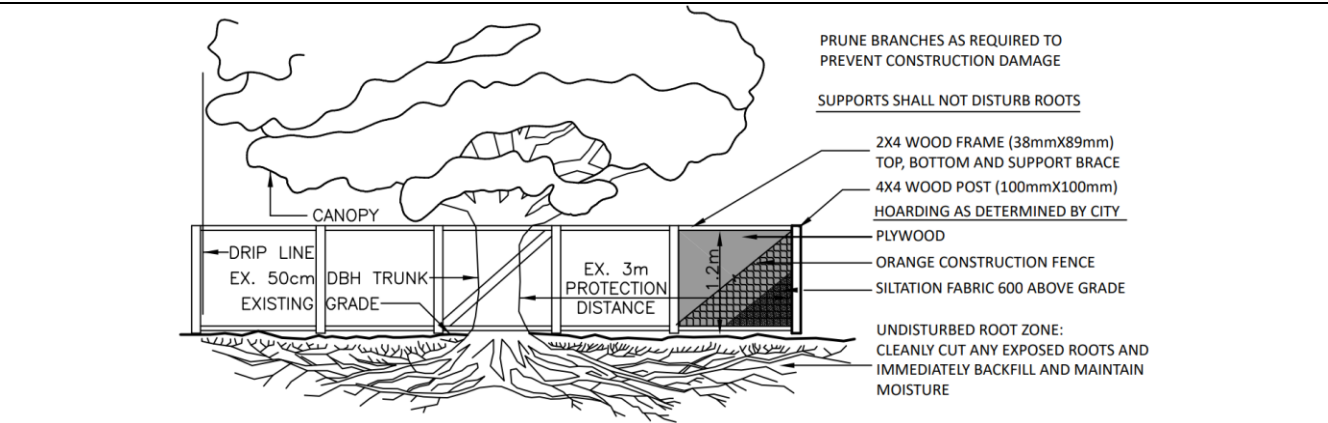
All privately owned trees 20 cm DBH (Diameter at Breast Height measured 1.37 meters up from the base of the tree) and greater and trees of all sizes on City property are protected by the City of Markham's Tree Preservation By-law 2023-164.



The By-law requires that a permit be issued before injuring or destroying any City tree of any diameter and any private tree with a diameter of 20 centimeters (about eight inches) or more measured at 1.37 meters (about 54 inches) from ground level.

Tree Preservation Zone (TPZ) Barriers

To protect trees from injury during construction, TPZ barriers must be installed in accordance with the City of Markham's Tree Preservation Details T-1. TPZ barriers must be inspected and approved by Tree Preservation staff prior to construction. Refer to the specifications and photos attached for details:



Please refer to the Minimum Tree Preservation Zone chart below for details:

City of Markham Tree Preservation Zones (TPZ)		
DBH ¹	Minimum TPZ ²	Ideal TPZ ³
< 10 cm	1.2 m	1.2 m
11 – 19 cm	1.8 m	2.7 m
20 – 40 cm	2.4 m	3.6 m
41 – 50 cm	3.0 m	4.5 m
51 – 60 cm	3.6 m	5.4 m
61 – 70 cm	4.2 m	6.3 m
71 – 80 cm	4.8 m	7.2 m
81 – 90 cm	5.4 m	8.1 m
91 – 100 cm	6.0 m	9.0 m
> 100 cm	6 cm per 1 cm ø	9 cm per 1 cm ø

1. DBH (Diameter at Breast Height) is the diameter measurement of the tree's trunk at 1.37 metres up from base of tree. For trees with multiple stems, measure each stem at 1.37 metres and multiply each stem measurement by itself, add up all of the stems, and calculate the square root of the total to find the number to record as DBH.
2. TPZ distance is measured from outside the base of the tree. Minimum TPZ requirement or at the tree's dripline, whichever is greater.
3. TPZ distance is measured from outside of the tree. Ideal TPZ recommendation or at the tree's dripline, whichever is greater.

Owner/Site Information

Address of Site:

Name of Owner:

Description of Proposed Work:

1. Will the proposed construction activity require removal of a regulated Private tree (on the subject site or neighbouring properties) or City tree? Yes No
 If 'Yes', a Tree Permit is required.
 If 'Yes', please indicate how many:
2. Will the proposed construction activity occur within the Tree Preservation Zone of a regulated Private tree (on the subject site or neighbouring sites) or City tree? Yes No
 If 'Yes', a Tree Permit is required.
 If 'Yes', please indicate how many:
3. Is this application related to a Pool Permit Application? Yes No
 If 'Yes', a Tree Permit is required.
4. Is any part of the tree(s) located on an adjacent property? Yes No
 If 'Yes', the adjacent property owner MUST provide written consent to Injure or Remove a boundary tree, as per the Forestry Act Section 10 (3).

If you have answered "Yes" for any of the questions above, then you are required to submit a Tree Permit Application to the Tree Preservation By-law Department to injure or destroy protected trees. A Tree Assessment and Preservation Plan (TAPP) prepared by a Qualified Tree Expert may be required by Tree Preservation staff prior to Tree Permit issuance.



Tree Preservation Declaration

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Declaration of Owner:

I, the undersigned, hereby declare that:

- I confirm that I understand the Tree By-law of the City of Markham prohibits the destruction or injury of private trees that have a diameter 20 cm DBH or greater and City trees of all diameters.
- I confirm that I am fully aware of this restriction and will adhere to the City's Tree Preservation By-law 2023-164 by refraining from destroying or injury any trees that surpass the specified diameter threshold.
- I confirm that I will obtain all the required approvals, permits, agreements, and other works prior to any construction or development activity that will impact trees.
- I confirm that failure to comply with the Tree By-law may result in penalties, fines, and legal actions as per the applicable laws and regulations of the City of Markham.
- I confirm that the information provided in this declaration form is true, complete, and accurate to the best of my knowledge.

Date

Signature of Owner

Failure to Comply with the By-laws

Failure to comply with Tree Preservation By-law 2023-164 may result in enforcement action including but not limited to the issuance of an Order, Administrative Penalties, inspection fees, and/or legal action.